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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,477	12/10/2001	Brian Ross Cartmell	376448001US	4588

7590 05/05/2005

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EXAMINER

ELMORE, JOHN E

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/016,477

Applicant(s)

CARTMELL ET AL.

Examiner

John Elmore

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-97 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-53 and 56-97 is/are rejected.
- 7) ☒ Claim(s) 54 and 55 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-97 have been examined.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 201, 202, 203 and 204. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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3. **Claims 1-18, 30-33, 35, 42-46, 48, 49, 51, 57, 58, 66-71 and 80-82 are rejected under 35 U.S.C. 102(e)** as being anticipated by Katsikas (US 6,868,498).

Regarding claim 1, Katsikas discloses a method in a computer system for authorizing communications, the method comprising:

receiving a communication sent from a sender to a recipient (email; Fig. 1B; col. 4, lines 37-46);

determining whether the sender is authorized to send communications to the recipient (Spam Processor 203 determines whether sender is found in authorized senders list; col. 3, lines 30-35);

when it is determined that the sender is authorized to send communications to the recipient, providing the received communication to the recipient (Fig. 2; col. 3, lines 30-35; col. 5, lines 21-28); and

when it is determined that the sender is not authorized to send communications to the recipient, sending an authorization communication to the sender, the authorization communication requesting authorization information from the sender to determine whether the sender should be authorized to send communications to the recipient (Web-based Messenger 205 sends authorization email to sender; col. 5, lines 29-50);

in response to sending the authorization communication to the sender, receiving from the sender authorization information (col. 5, lines 51-57); and

when the received authorization information indicates that the sender is authorized, indicating that the sender is authorized to send communications to the

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recipient and providing the received communication to the recipient (col. 5, line 57, through col. 6, line 19).

Regarding claim 2, Katsikas teaches all the limitations of claim 1, and further teaches that the communications are electronic mail messages (col. 3, lines 31-32).

Regarding claim 3, Katsikas teaches all the limitations of claim 2, and further teaches providing of the received communication to the recipient includes placing the received communication in an inbox of the recipient (col. 6, lines 6-14).

Regarding claim 4, Katsikas teaches all the limitations of claim 1, and further teaches that the authorization communication includes a link to a display page through which the sender provides the authorization information (col. 5, lines 41-52; col. 7, lines 58-59; col. 8, lines 4-6).

Regarding claim 5, Katsikas teaches all the limitations of claim 1, and further teaches that the authorization information includes a response to instructions, the instructions being designed to make it difficult for an automated system to provide an appropriate response (col. 5, line 41, through col. 6, line 5; col. 8, lines 4-19).

Regarding claim 6, Katsikas discloses a method for authorizing communications, the method comprising:

receiving a communication sent from a sender to a recipient (email; Fig. 1B; col. 4, lines 37-46);

sending an authorization communication to the sender, the authorization

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communication requesting authorization information from the sender to determine whether the sender should be authorized to send communications to the recipient (Web-based Messenger 205 sends authorization email to sender; col. 5, lines 29-50);

in response to sending the authorization communication to the sender, receiving from the sender authorization information (col. 5, lines 51-57); and

when the received authorization information indicates that the sender is authorized, providing the received communication to the recipient (col. 5, line 57, through col. 6, line 19).

Regarding claim 7, Katsikas teaches all the limitations of claim 6, and further teaches that the communications are electronic mail messages (col. 3, lines 31-32).

Regarding claim 8, Katsikas teaches all the limitations of claim 7, and further teaches providing of the received communication to the recipient includes placing the received communication in an inbox of the recipient (col. 6, lines 6-14).

Regarding claim 9, Katsikas teaches all the limitations of claim 6, and further teaches that the authorization communication includes a link to a display page through which the sender provides the authorization information (col. 5, lines 41-52; col. 8, lines 4-6).

Regarding claim 10, Katsikas teaches all the limitations of claim 6, and further teaches that the communications are electronic mail messages and sender provides authorization information in an electronic mail message (col. 5, lines 51-53).

Regarding claim 11, Katsikas teaches all the limitations of claim 6, and further teaches that the authorization information includes a response to instructions, the

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instructions being designed to make it difficult for an automated system to provide an appropriate response (col. 5, line 41, through col. 6, line 5; col. 8, lines 4-19).

Regarding claim 12, Katsikas teaches all the limitations of claim 6, and further teaches that before sending an authorization communication to the sender, determining whether the sender is already authorized to send communications to the recipient and when authorized, providing the received communication to the recipient (Spam Processor 203 first checks authorized senders list for authorization before sending authorization communication; col. 5, lines 11-28; col. 6, lines 6-11; col. 7, lines 27-45).

Regarding claim 13, Katsikas teaches all the limitations of claim 6, and further teaches that when the received authorization information indicates that the sender is authorized, recording an indication so that subsequent communications sent from the sender to the recipient can be provided to the recipient without receiving additional authorization information from the sender (newly authorized sender is added to authorized senders list and status recorded as SUSPECT or FRIEND, which permits sender's emails to be received in recipient's inbox; col. 5, line 61-66; col. 8, lines 23-35).

Regarding claim 14, Katsikas teaches all the limitations of claim 13, and further teaches that the recorded indication only indicates that the sender is authorized to send to that recipient (authorized senders list is specific for each recipient and indicates whether a sender is authorized to send email to that recipient; col. 3, lines 43-52; col. 7, lines 47-51).

Regarding claim 15, Katsikas teaches all the limitations of claim 13, and further teaches receiving from the recipient an indication of senders that are authorized to send communications to the recipient (col. 3, lines 43-52; col. 8, lines 33-35).

Regarding claim 16, Katsikas teaches all the limitations of claim 13, and further teaches receiving from the recipient an indication of senders are no longer authorized to send communications to the recipient (col. 3, lines 43-52; col. 8, lines 35-40).

Regarding claim 17, Katsikas teaches all the limitations of claim 6, and further teaches that a sender is requested to provide authorization information for each different recipient to whom the sender sends a communication (sender authorization is requested for each different recipient based on the recipient's authorized senders list; Fig. 1B and 5; col. 3, lines 37-54; col. 5, lines 29-39).

Regarding claim 18, Katsikas teaches all the limitations of claim 6, and further teaches that the authorization communication include an authorization identifier for identifying the received communication (col. 5, lines 38-42; col. 7, line 63, through col. 8, line 2).

Regarding claim 30, Katsikas teaches all the limitations of claim 6, and further teaches that the authorization communication includes a web page through which the sender provides the authorization information (col. 5, lines 41-52; col. 7, lines 58-59; col. 8, lines 4-6).

Regarding claims 31, 32, 35 and 56, this is a system version of the claimed method discussed above (claims 6-7, 12, 10 and 6, respectively), wherein all limitations have been set forth above. Therefore, such claims also are anticipated.

Regarding claim 33, Katsikas teaches all the limitations of claim 32, and further teaches that the electronic mail system receives the communication and invokes the authorization system (Redirector 202 and Spam Processor 203) to determine whether the sender is authorized (Fig. 1B and 2; col. 5, lines 11-17).

Regarding claim 42, Katsikas teaches all the limitations of claim 31, and further teaches that the authorization system (Fig. 3) includes an electronic mail component (SMTP receive manager 208), that the authorization system retrieves the communication from an electronic mail system, that the authorization system determines whether the sender is authorized, and that when the sender is authorized, the authorization system makes the communication available to the recipient through its electronic mail component (col. 5, lines 11-28; col. 6, lines 6-14).

Regarding claim 43, Katsikas teaches all the limitations of claim 42, and further teaches that the authorization system retrieves the communication from the electronic mail system as a result of the electronic mail system automatically forwarding communications of the recipient to the authorization system (col. 5, lines 11-17).

Regarding claim 44, Katsikas teaches all the limitations of claim 42, and further teaches that the authorization system retrieves the communication from the electronic mail system using authentication information of the recipient (authorized senders list of the recipient retrieved via TO field of email; col. 5, lines 21-25; col. 7, lines 32-34).

Regarding claim 45, Katsikas teaches all the limitations of claim 31, and further teaches that the requesting of authorization information from the sender includes sending an electronic mail message to the sender (col. 5, lines 29-50).

Regarding claim 46, Katsikas teaches all the limitations of claim 45, and further teaches that the electronic mail message includes a link to a web page through which the sender provides the authorization information (col. 5, lines 42-52).

Regarding claim 48, Katsikas teaches all the limitations of claim 45, and further teaches that the sender provides the authorization information in an electronic mail message (col. 5, lines 42-53).

Regarding claim 49, Katsikas teaches all the limitations of claim 31, and further teaches that the requested authorization information is used to determine whether the sender is an automated system (Fig. 6; col. 7, line 55, through col. 8, line 19).

Regarding claim 51, Katsikas teaches all the limitations of claim 31, and further teaches that when it is determined that the sender is authorized to send the communication to the recipient, designating the sender as authorized to send to the recipient so that the authorization system sends subsequent communications from the sender to the recipient without requesting authorization information from the recipient (newly authorized sender is added to authorized senders list and status recorded as SUSPECT or FRIEND, which permits sender's emails to be received in recipient's inbox; col. 5, line 61-66; col. 8, lines 23-35).

Regarding claim 57, Katsikas teaches all the limitations of claim 56, and further teaches that the authorization system is a subsystem of an electronic mail system (Fig. 1B; col. 4, lines 37-54).

Regarding claim 58, Katsikas teaches all the limitations of claim 57, and further teaches that the electronic mail system receives the communication and invokes the

authorization system to determine whether the sender is authorized (Redirector 202 invokes Spam Processor 203 to determine authorization; col. 5, lines 11-28; col. 6, lines 6-14).

Regarding claim 66, Katsikas teaches all the limitations of claim 56, and further teaches that the authorization system (Fig. 3) includes an electronic mail component (SMTP receive manager 208), that the authorization system retrieves the communication from an electronic mail system, that the authorization system determines whether the sender is authorized, and that when the sender is authorized, the authorization system makes the communication available to the recipient through its electronic mail component (col. 5, lines 11-28; col. 6, lines 6-14).

Regarding claim 67, Katsikas teaches all the limitations of claim 66, and further teaches that the authorization system retrieves the communication from the electronic mail system as a result of the electronic mail system automatically forwarding communications of the recipient to the authorization system (col. 5, lines 11-17).

Regarding claim 68, Katsikas teaches all the limitations of claim 66, and further teaches that the authorization system retrieves the communication from the electronic mail system using authentication information of the recipient (authorized senders list of the recipient retrieved via TO field of email; col. 5, lines 21-25; col. 7, lines 32-34).

Regarding claims 69-71 and 80-82, this is a computer-readable-medium version of the claimed system discussed above (claims 56-58 and 66-68, respectively), wherein all limitations have been set forth above. Therefore, such claims also are anticipated.

4. **Claims 6, 19, 20, 23, 24, 31, 34, 45, 50-53, 56, 59, 69, 72, 83, 93-95 and 97 are rejected under 35 U.S.C. 102(b)** as being anticipated by Cobb (US 6,199,102).

Regarding claim 6, Cobb discloses a method for authorizing communications, the method comprising:

receiving a communication sent from a sender to a recipient (email; col. 2, lines 27-30);

sending an authorization communication (the Challenge) to the sender, the authorization communication requesting authorization information from the sender to determine whether the sender should be authorized to send communications to the recipient (col. 5, lines 24-49);

in response to sending the authorization communication to the sender, receiving from the sender authorization information (col. 5, lines 49-51); and

when the received authorization information indicates that the sender is authorized, providing the received communication to the recipient (col. 5, lines 51-54).

Regarding claim 19, Cobb teaches all the limitations of claim 6, and further teaches notifying a recipient of received communications that have not been authorized (recipient notified of unauthorized emails via placement in Deleted folder; col. 10, lines 58-65; col. 11, lines 11-14; col. 11, lines 24-37).

Regarding claim 20, Cobb teaches all the limitations of claim 6, and further teaches periodically sending to the recipient a communication that includes

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advertisements (solicitation of business via electronic commercial messages; col. 2, lines 66-67; col. 3, lines 10-15 and 56-63; col. 4, lines 30-36).

Regarding claim 23, Cobb teaches all the limitations of claim 6, and further teaches that when the received authorization information indicates that the sender is not authorized, providing the received communication to the recipient with an indication that it was sent by a sender who could not be authorized (unauthorized emails placed in Deleted folder; col. 10, lines 58-65; col. 11, lines 11-14 and lines 24-37).

Regarding claim 24, Cobb teaches all the limitations of claim 23, and further teaches that the indication is placing authorized and not authorized communication in separate folders (col. 10, lines 58-65; col. 11, lines 7-14).

Regarding claims 31 and 56, these are system versions of the claimed method discussed above (claim 6), wherein all limitations have been set forth above. Therefore, such claims also are anticipated.

Regarding claim 34, Cobb teaches all the limitations of claim 31, and further teaches that the authorization system (client program 100 including message filter 58) is separate from an electronic mail system (mail server 52 and mailbox 56) (Fig. 2 and 3; col. 6, lines 12-43).

Regarding claim 45, Cobb teaches all the limitations of claim 31, and further teaches that the requesting of authorization information from the sender includes sending an electronic mail message to the sender (the Challenge; col. 5, lines 24-49).

Regarding claim 50, Cobb teaches all the limitations of claim 31, and further teaches that the requested authorization information is a Turing test (natural language questions requiring an intelligently worded answer; col. 5, lines 24-39).

Regarding claim 51, Cobb teaches all the limitations of claim 31, and further teaches that when it is determined that the sender is authorized to send the communication to the recipient, designating the sender as authorized to send to the recipient so that the authorization system sends subsequent communications from the sender to the recipient without requesting authorization information from the recipient (authorized sender added to Acceptance List 105, which enables future communications to reach recipient without further a authorization request; col. 7, lines 63-67; col. 8, lines 6-41).

Regarding claim 52, Cobb teaches all the limitations of claim 31, and further teaches that revoking the designation that a sender is authorized to send to the recipient based on a criterion (revoking authorization of sender by the; col. 8, lines 13-41).

Regarding claim 53, Cobb teaches all the limitations of claim 52, and further teaches that the criterion is that the sender has sent communications to many other recipients in a short period of time (criterion of multiple simultaneous recipients; col. 15, lines 58, through col. 16, line 30).

Regarding claims 59, this is a system version of the claimed method discussed above (claim 34), wherein all limitations have been set forth above. Therefore, such a claims also is anticipated.

Regarding claims 69, this is a computer-readable-medium version of the claimed method discussed above (claim 6), wherein all limitations have been set forth above. Therefore, such a claims also is anticipated.

Regarding claim 72, Cobb teaches all the limitations of claim 69, and further teaches that the authorization system (client program 100 including message filter 58) is separate from an electronic mail system (mail server 52 and mailbox 56) (Fig. 2 and 3; col. 6, lines 12-43).

Regarding claim 83, Cobb teaches a method for authorizing senders to send communications to recipients, by a method comprising:

- receiving a communication sent from a sender to a recipient (email; col. 2, lines 27-30);

- requesting authorization information from the sender (the Challenge; col. 5, lines 24-49);

- receiving authorization information from the sender (col. 5, lines 49-51);

- determining whether the authorization information indicates that the sender is authorized (col. 5, lines 51-52); and

- providing the communication to the recipient when it is determined that the sender is authorized to send the communication to the recipient (col. 5, lines 52-54).

Regarding claim 93, Cobb discloses a method in a computer system for sending a communication from a sender to a recipient, the method comprising:

- sending a communication to the recipient (email; col. 2, lines 27-30);

receiving a request for authorization information (the Challenge) from an authorization system (col. 5, lines 24-49); and

providing the requested authorization information to the authorization system so that the authorization system can verify the authorization information, can provide the communication to the recipient when the authorization information is verified, and not provide the communication to the recipient when the authorization system is not verified (col. 5, lines 49-54).

Regarding claim 94, Cobb teaches all the limitations of claim 93, and further teaches that the computer system is the sender's computer (email received by FEECP 100 originates from a computer utilized by sender 101 connected to network 110; Fig. 3; col. 6, lines 36-66).

Regarding claim 95, Cobb teaches all the limitations of claim 93, and further teaches that the request for authorization information is received via an electronic mail message (col. 6, lines 12-17).

Regarding claim 97, Cobb teaches all the limitations of claim 93, and further teaches that the requested authorization information is a response to a Turing test (natural language questions requiring an intelligently worded answer; col. 5, lines 24-39).

5. **Claims 6, 31, 34-41, 56, 60-65 and 73-79 are rejected under 35 U.S.C. 102(e)** as being anticipated by Drummond et al. (US 6,546,416), hereafter Drummond.

Regarding claim 6, Drummond discloses a method for authorizing communications, the method comprising:

receiving a communication sent from a sender to a recipient (email; col. 2, lines 31-50);

sending an authorization communication to the sender, the authorization communication requesting authorization information from the sender to determine whether the sender should be authorized to send communications to the recipient (challenge; col. 6, lines 10-29; col. 7, lines 13-15);

in response to sending the authorization communication to the sender, receiving from the sender authorization information (col. 7, lines 15-21); and

when the received authorization information indicates that the sender is authorized, providing the received communication to the recipient (col. 7, lines 25-35).

Regarding claims 31 and 56, these are system versions of the claimed method discussed above (claim 6), wherein all limitations have been set forth above. Therefore, such claims also are anticipated.

Regarding claim 34, Drummond teaches all the limitations of claim 31, and further teaches that the authorization system (email filtering system) is separate from an electronic mail system (email filtering system implemented by ISP or other third party as a service which interoperates with email system but is separate from it, col. 5, line 51, through col. 6, line 5; alternately, as program on recipient's computer that interoperates with email client, col. 5, lines 51-56).

Regarding claim 35, Drummond teaches all the limitations of claim 34, and further teaches that the authorization system receives the communication from the sender and that the authorization system sends the communication to the electronic mail system when it determines that the sender is authorized (col. 9, line 33, through col. 10, line 3).

Regarding claim 36, Drummond teaches all the limitations of claim 34, and further teaches that the authorization system receives the communication from the sender, and that when the sender cannot be authorized, the authorization system sends the communication to a folder of the electronic mail system designated for communications of the recipient from senders that is not authorized (unauthorized email placed in discard box; col. 8, lines 54-67; col. 9, line 33, through col. 10, line 3).

Regarding claim 37, Drummond teaches all the limitations of claim 34, and further teaches that the electronic mail system receives the communication from the sender, that the authorization system retrieves the communication from the electronic mail system, and that the authorization system indicates to the electronic mail system whether the sender is authorized (in the embodiment wherein authentication system is a program on recipient's computer that interoperates with email client, the authentication system retrieves email from inbox on recipient's computer and indicates to the email client whether sender is authorized by adjusting the contents of the inbox; col. 7, lines 43-46; col. 8, lines 16-67).

Regarding claim 38, Drummond teaches all the limitations of claim 37, and further teaches that the authorization system indicates that the sender is authorized by

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leaving the communication in an inbox of the recipient (in the embodiment wherein authentication system is a program on recipient's computer that interoperates with email client, the authentication system retrieves email from inbox on recipient's computer and indicates to the email client that sender is authorized by leaving the email in the inbox; col. 7, lines 43-46; col. 8, lines 16-67).

Regarding claim 39, Drummond teaches all the limitations of claim 37, and further teaches that the authorization system indicates that the sender is not authorized by removing the communication from the inbox of the recipient (in the embodiment wherein authentication system is a program on recipient's computer that interoperates with email client, the authentication system retrieves email from inbox on recipient's computer and indicates to the email client whether sender is not authorized by discarding the email; col. 7, lines 43-46; col. 8, lines 16-67).

Regarding claim 40, Drummond teaches all the limitations of claim 39, and further teaches that the authorization system adds the removed communication to a folder of the recipient for communications of senders who are not authorized (discard box; col. 8, lines 65-67).

Regarding claim 41, Drummond teaches all the limitations of claim 39, and further teaches that the authorization system retrieves the communication from the electronic mail system as a result of the electronic mail system automatically forwarding communications of the recipient to the authorization system (col. 8, lines 16-18; col. 9, lines 63-67).

Regarding claims 60-65, this is a system version of the claimed method discussed above (claims 35-41). Therefore, for reasons provided above, such claims also are anticipated.

Regarding claims 73-79, this is a computer-readable-medium version of the claimed method discussed above (claims 35-41). Therefore, for reasons provided above, such claims also are anticipated.

6. **Claims 83 and 89-92 are rejected under 35 U.S.C. 102(b)** as being anticipated by Solomon et al. (US 5,604,792), hereafter Solomon.

Regarding claim 83, Solomon teaches a method for authorizing senders to send communications to recipients, by a method comprising:

receiving a communication sent from a sender to a recipient (telephone call from caller to subscriber; col. 4, lines 23-33);

requesting authorization information from the sender (call screening, col. 10, lines 1-5, and col. 15, lines 24-26; prompting caller to provide an identifying message, col. 15, lines 31-32);

receiving authorization information from the sender (caller provides identifying message, col. 15, lines 31-32 and 41-42);

determining whether the authorization information indicates that the sender is authorized (subscriber listens to caller ID and identifying message to determine whether caller is authorized; col. 15, lines 41-47); and

providing the communication to the recipient when it is determined that the

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sender is authorized to send the communication to the recipient (col. 15, lines 46-51).

Regarding claim 89, Solomon teaches all the limitations of claim 83, and further teaches that the communication is a telephone call placed from the sender to the recipient (telephone call from caller to subscriber; col. 4, lines 23-33).

Regarding claim 90, Solomon teaches all the limitations of claim 89, and further teaches that the requesting of authorization information is performed by answering the telephone call (requesting of caller ID and identifying message is performed automatically upon answering a call; col. 15, lines 26-32).

Regarding claim 91, Solomon teaches all the limitations of claim 90, and further teaches that the authorization information is received from the sender in response to instructions provided by answering the telephone call (identifying message received from caller by following instructions; col. 15, lines 31-32 and 41-42).

Regarding claim 92, Solomon teaches all the limitations of claim 83, and further teaches that the sender is identified by a caller identifier associated with the telephone call (caller ID listing caller's telephone number; col. 15, lines 42-45).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 21 and 22 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Cobb in view of Sorkin ("Technical and Legal Approaches to Unsolicited Electronic Mail," 35 U.S.F. L. Rev. 325, April 2001).

Regarding claim 21, Cobb teaches all the limitations of claim 20, but does not explain suppressing the sending of the communication that includes advertisements to recipients who meet a certain criterion.

However, Sorkin teaches a method for authorizing communications including suppressing the sending of the communication that includes advertisements to recipients who meet a certain criterion for the purpose of blocking unsolicited commercial email from any sender who already has the recipient's email address (blocking the sending of commercial emails to recipients who sign up with a universal opt-out system; pages 352-353).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Cobb with the teaching of Sorkin to include suppressing the sending of the communication that includes advertisements to recipients who meet a certain criterion. One would be motivated to do so in order to block unsolicited commercial email from any sender who already has the recipient's email address.

Regarding claim 22, the modified method of Cobb and Sorkin is relied upon as applied to claim 21, and Cobb and Sorkin further teach that the criterion is enrollment in a no-solicitation service (universal opt-out system; page 353 and footnote 132).

Therefore, for reasons provided above, such a claim also would have been obvious.

9. **Claims 25, 26, 28 and 29 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Cobb.

Regarding claim 25, Cobb teaches all the limitations of claim 23, but Cobb does not explain that the receiving includes using a recipient identification and password to retrieve the communication from an electronic mail account of the recipient.

However, Cobb teaches that the recipient utilizes an email client program (100) to retrieve email from the incoming mail server (52) which hosts a Post Office Protocol (POP) mailbox (56) (Fig. 2; col. 6, lines 12-23). And it is well known in the art that POP implements user authorization as a condition of email retrieval, comprising of an user identification and a password. Therefore, the Examiner takes official notice that it would be obvious to one of ordinary skill in the art at the time the invention was made that the receiving includes using a recipient identification and password to retrieve the communication from an electronic mail account of the recipient for the motivation of securing email from unauthorized recipients.

Regarding claim 26, Cobb teaches all the limitations of claim 25, and further teaches that the communication is retrieved from an inbox (email client program 60 retrieves email from inbox 56; col. 6, lines 19-23). Therefore, for reasons provided above, such a claim also would have been obvious.

Regarding claim 28, Cobb teaches all the limitations of claim 26, and further teaches that the received authorization information indicates that the sender is not authorized, removing the communication from the inbox. (unauthorized email removed

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from inbox 56 and placed in Deleted folder, which is managed by client email program 100 on recipients computer 101; Fig. 2; col. 6, lines 12-25; col. 11, lines 11-14).

Therefore, for reasons provided above, such a claim also would have been obvious.

Regarding claim 29, Cobb teaches all the limitations of claim 26, and further teaches that when the received authorization information indicates that the sender is not authorized, moving the communication to a folder different from the inbox (unauthorized email moved from inbox 56 to Deleted folder, which is managed by client email program 100 on recipients computer 101; Fig. 2; col. 6, lines 12-25; col. 11, lines 11-14).

Therefore, for reasons provided above, such a claim also would have been obvious.

10. **Claims 25-28 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Drummond.

Regarding claim 25, Cobb teaches all the limitations of claim 6, but does not explain that the receiving includes using a recipient identification and password to retrieve the communication from an electronic mail account of the recipient.

However, Drummond teaches that the recipient utilizes an email client to retrieve email from a conventional email system (col. 5, lines 30-50). And it is well known in the art that conventional email systems employ post office protocol (POP) which implements user authorization as a condition of email retrieval, comprising of an user identification and a password. Therefore, the Examiner takes official notice that it would be obvious to one of ordinary skill in the art at the time the invention was made that the receiving includes using a recipient identification and password to retrieve the

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communication from an electronic mail account of the recipient for the motivation of securing email from unauthorized recipients.

Regarding claim 26, Drummond teaches all the limitations of claim 25, and further explains that the communication is retrieved from an inbox (col. 7, lines 43-52; col. 8, lines 16-18). Therefore, for reasons provided above, such a claim also would have been obvious.

Regarding claim 27, Drummond teaches all the limitations of claim 26, and further explains that the providing includes leaving the retrieved communication in the inbox (authorized email is left in inbox/pending box and the status of the email is marked to reflect that filtering is no longer pending; col. 7, lines 43-52; col. 8, lines 16-23 and 48-51). Therefore, for reasons provided above, such a claim also would have been obvious.

Regarding claim 28, Drummond teaches all the limitations of claim 26, and further teaches that the received authorization information indicates that the sender is not authorized, removing the communication from the inbox (col. 8, lines 45-48). Therefore, for reasons provided above, such a claim also would have been obvious.

11. **Claims 84-86 and 88 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Cobb in view of Angwin ("Postal Service to deliver the e-mail," The Wall Street Journal Online, July 30, 2000).

Regarding claim 84, Cobb teaches all the limitations of claim 83, but does not explain that the communication is a letter delivered to a postal service addressed from the sender to the recipient.

However, Angwin teaches a method wherein an e-mail communication is delivered to a postal service addressed from the sender to the recipient for the purpose of providing email services to people who don't normally use email (email delivered as regular "snail" mail; page 1, paragraph 2). Further, Wikipedia defines a letter as "a written message" and notes that "the term letter is sometimes used for e-mail messages," so one of ordinary skill in the art would recognize that a letter delivered to a postal service would describe an email delivered to a postal service.

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Cobb with the teaching of Angwin to provide that the communication is a letter delivered to a postal service addressed from the sender to the recipient. One would be motivated to do so in order to provide authorized email to persons who use postal services but do not normally use email.

Regarding claim 85, the modified method of Cobb and Angwin is relied upon as applied to claim 84, and Cobb and Angwin further teach that the requesting of authorization information includes sending a communication via the postal service to the sender (email sent back to sender via postal service; see Cobb, col. 5, lines 24-49). Therefore, for reasons provided above, such a claim also would have been obvious.

Regarding claim 86, the modified method of Cobb and Angwin is relied upon as applied to claim 84, and Cobb and Angwin further teach that the authorization

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information is received from the sender via a computer system (sender responds to Challenge with an email back to recipient; see Cobb, col. 5, lines 49-51). Therefore, for reasons provided above, such a claim also would have been obvious.

Regarding claim 88, the modified method of Cobb and Angwin is relied upon as applied to claim 84, but Cobb and Angwin do not explicitly explain that the authorization information is received from the sender via a telephone call.

However, Cobb and Angwin teach that communications from a sender are conducted through a network (110; Fig. 3). And it is well known in the art that a dial up connection to a network is conducted via a telephone call. Therefore, the Examiner takes official notice that it would be obvious to one of ordinary skill in the art at the time the invention that the authorization information is received from the sender via a telephone call.

12. **Claims 47 and 87 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Cobb in view of Angwin ("Postal Service to deliver the e-mail," The Wall Street Journal Online, July 30, 2000) and further in view of Habraken ("Lesson 9, Creating Email," Teach Yourself Microsoft Outlook 98 in 10 Minutes, Sams Publishing, April 16, 1998).

Regarding claim 47, Cobb teaches all the limitations of claim 45, but Cobb does not explain that the electronic mail message includes a web page through which the sender provides the authorization information.

However, Cobb teaches that the authorization information is received from the sender via an email (col. 5, lines 21-27 and 49-51). And Habraken teaches a method of communication wherein email comprises a web page (HTML email; page 1, paragraphs 1 and 2, and page 4, paragraph 6) for the purpose of providing a number of formatting options beyond the default email text (page 1, paragraph 3).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Cobb with the teaching of Habraken to provide that the electronic mail message includes a web page through which the sender provides the authorization information. One would be motivated to do so in order to provide the authentication communication with a number of formatting options beyond the default email text.

Regarding claim 87, the modified method of Cobb and Angwin is relied upon as applied to claim 84, but Cobb and Angwin do not explain that the authorization information is received from the sender via a web page.

However, Cobb and Angwin teach that the authorization information is received from the sender via an email (see Cobb, col. 5, lines 21-27 and 49-51). And Habraken teaches a method of communication wherein email comprises a web page (HTML email; page 1, paragraphs 1 and 2, and page 4, paragraph 6) for the purpose of providing a number of formatting options beyond the default email text (page 1, paragraph 3).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Cobb and Angwin with the teaching of

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Habraken to provide that the authorization information is received from the sender via a web page. One would be motivated to do so in order to provide the authentication communication with a number of formatting options beyond the default email text.

13. **Claim 96 is rejected under 35 U.S.C. 103(a)** as being unpatentable over Cobb in view of Habraken.

Cobb teaches all the limitations of claim 93, but Cobb does not explain that the requested authorization information is provided via a web page.

However, Cobb teaches that the authorization information is received from the sender via an email (col. 5, lines 21-27 and 49-51). And Habraken teaches a method of communication wherein email comprises a web page (HTML email; page 1, paragraphs 1 and 2, and page 4, paragraph 6) for the purpose of providing a number of formatting options beyond the default email text (page 1, paragraph 3).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Cobb with the teaching of Habraken to provide that the requested authorization information is provided via a web page. One would be motivated to do so in order to provide the authentication communication with a number of formatting options beyond the default email text.

Allowable Subject Matter

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14. **Claims 54-55 are objected to as being dependent upon a rejected base claim**, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The closest prior art, Cobb, does not explain that the criterion is that other recipients have requested to revoke the authorization of that sender or that the authorization system includes a component for determining whether the sender is authorized based on other recipients for whom the sender is authorized to send communications.

Cobb teaches that the recipient utilizes an individualized authentication system (Acceptance List 105 and Blocking List 105 are particular to the recipient) and does not address any sharing of knowledge between recipients regarding authentication of senders. It would not be obvious to one of ordinary skill in the art to provide for sharing of knowledge (e.g. lists 105 and 115) between an email client program (100) and any other.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Donaldson (US 6,321,267) discloses a method for filtering junk email.


Cotton (US 6,330,590) discloses a method for preventing the delivery of unwanted bulk email.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Elmore whose telephone number is 571-272-4224. The examiner can normally be reached on M 10-8, T-Th 9-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Morse can be reached on 571-272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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